

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CHRISTOPHER BOULWARE,

Petitioner,

2:17-cv-02496-APG-GWF

VS.

ORDER

WARDEN WILLIAMS, *et al.*,

Respondents.

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This action is a petition for writ of habeas corpus by Christopher Boulware, a Nevada

10 prisoner. The Court received Boulware's petition for writ of habeas corpus (ECF No. 4), along with
11 an application to proceed *in forma pauperis* (ECF No. 1), on September 25, 2017.

In an order entered on September 29, 2017 (ECF No. 3), the Court granted Boulware *in forma pauperis* status, and screened his petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts. The Court determined that Boulware's petition appears to be defective, in that Boulware has not exhausted any claim in state court. The Court ordered Boulware to show cause why this action should not be dismissed on that basis. The Court granted Boulware 45 days -- to November 13, 2017 -- to make such a showing, and warned that if he failed, within the time allowed, to make the required showing, this case will be dismissed.

19 Boulware did not respond to the order to show cause by November 13, 2017. Indeed, he has
20 filed nothing since the Court issued the September 29, 2017, order. Therefore, because Boulware's
21 petition is wholly unexhausted in state court, the Court will dismiss this action.

IT IS THEREFORE ORDERED that this action is dismissed.

IT IS FURTHER ORDERED that the petitioner is denied a certificate of appealability.

IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment accordingly.

Dated: November 22, 2017.


UNITED STATES DISTRICT JUDGE